

Pre-closing Activities

The Closing Agent shall perform all pre-closing actions, including, but not restricted to, those detailed below, which are necessary to ensure the closing occurs as scheduled.

Open Closing / Escrow File. The Closing Agent shall establish a closing/escrow file immediately upon receipt of a complete contract package from the AM Contractor. No action shall be taken until a complete package is received, except as provided in the paragraph below. A complete contract package shall include:

- A signed sales purchase contract (HUD-9548) with any addendums and amendments
- Earnest Money (except in areas where the AM is holding the earnest money)

For Areas where the Closing Agent is to receive earnest money concurrently with the Sales Contract

- If the Closing Agent does not receive the earnest money within three (3) days of receipt of the signed sales contract, the Closing Agent shall on the 4th day, if earnest money has not been received, return the contract marked “No Earnest Money Received,” and a notice shall be submitted to the AM Contractor.
- The Closing Agent shall prepare Closing/Escrow Instructions, and forward same, with a copy of the Earnest Money check to the AM Contractor within ten (10) business days of initial assignment.

For Areas where the Asset Manager is holding the Earnest Money

- In areas where AM is holding the earnest money, upon notification of firm closing date, the closing agent will forward final documents for signature to include the final HUD-1. The AM will return executed HUD-1, deed and earnest money to the closing agent.
- The Closing Agent shall prepare Closing/Escrow Instructions, and forward same, to the AM Contractor within ten (10) business days of initial assignment.

The Closing Agent shall process and handle any and all loan documents the lender requires for a customary HUD closing. In closing a loan, to ensure there are no delays, the Closing Agent shall provide timely processing and delivery of the signed loan documents to the lender.